

**AMENDMENTS TO THE CLAIMS**

Please enter the following amendments without prejudice or disclaimer.

This listing of claims will replace all prior versions, and listings, of claims in the application:

**In the claims**

Claim 1 (Original): An immunomodulatory polynucleotide comprising an immunostimulatory sequence (ISS), wherein the ISS comprises the formula:

5'-X<sub>1</sub>X<sub>2</sub>A X<sub>3</sub>C G X<sub>4</sub>T C G-3' (SEQ ID NO: 62)

wherein X<sub>1</sub> is T, G, C or Z, wherein Z is 5-bromocytosine;

wherein X<sub>2</sub> is T, G, A or U;

wherein X<sub>3</sub> is T, A or C;

wherein X<sub>4</sub> is T, G or U; and

wherein the ISS is not 5'-TGAACGTTCG-3' (SEQ ID NO: 63) or 5'-GGAACGTTCG-3' (SEQ ID NO: 64).

Claim 2 (Currently Amended): An immunomodulatory polynucleotide according to claim 1, wherein the ISS is selected from the group consisting of TGAACGUTCG (SEQ ID NO: 67), TGACCGTTCG (SEQ ID NO: 68), TGATCGGTCG (SEQ ID NO: 69), TGATCGTTCG (SEQ ID NO: 70), TGAACGGTCG (SEQ ID NO: 71), GTAACGTTCG (SEQ ID NO: 72), GTATCGGTCG (SEQ ID NO: 73), GTACCGTTCG (SEQ ID NO: 74), GAACCGTTCG (SEQ ID NO: 75), ZGACCGTTCG (SEQ ID NO: 76), wherein Z is 5-bromocytosine, CGAACGTTCG (SEQ ID NO: 77), CGACCGTTCG (SEQ ID NO: 78), ZGAACGTTCG (SEQ ID NO: 79), wherein Z is 5-bromocytosine, TTAACGUTCG (SEQ ID NO: [[82]] 80), TUAACGUTCG (SEQ ID NO: 81) and TTAACGTTCG (SEQ ID NO: [[80]] 82).

**Claim 3 (Original):** An immunomodulatory polynucleotide according to claim 2, wherein the ISS is selected from the group consisting of TGAACGUTCG (SEQ ID NO: 67), GAACCGTTCG (SEQ ID NO: 75) and CGAACGTTCG (SEQ ID NO: 77).

**Claim 4 (Original):** An immunomodulatory polynucleotide according to claim 3 comprising a sequence selected from the group consisting of SEQ ID NO: 1, SEQ ID NO: 2, SEQ ID NO: 18, SEQ ID NO: 19 and SEQ ID NO: 132.

**Claim 5 (Original):** An immunomodulatory polynucleotide comprising an immunostimulatory sequence (ISS), wherein the ISS comprises the formula:

5'-X<sub>1</sub> X<sub>2</sub> A X<sub>3</sub> Z G X<sub>4</sub> T C G-3' (SEQ ID NO: 65)

wherein Z is 5-bromocytosine;

wherein X<sub>1</sub> is T, G, C or Z, wherein Z is 5-bromocytosine;

wherein X<sub>2</sub> is T, G, A or U;

wherein X<sub>3</sub> is T, A or C;

wherein X<sub>4</sub> is T, G or U; and

wherein the ISS is not 5'-TGAAZGTTCG-3' (SEQ ID NO: 66), wherein Z is 5-bromocytosine.

**Claim 6 (Original):** An immunomodulatory polynucleotide according to claim 5, wherein the ISS is selected from the group consisting of TGAAZGUTCG, (SEQ ID NO: 83) TGACZGTTCG (SEQ ID NO: 84), TGATZGGTCG (SEQ ID NO: 85), GTATZGGTCG (SEQ ID NO: 86), GTACZGTTCG (SEQ ID NO: 87), GAACZGTTCG (SEQ ID NO: 88), GAAAZGUTCG (SEQ ID NO: 89), ZGACZGTTCG (SEQ ID NO: 90), CGAAZGTTCG (SEQ ID NO: 91), ZGAAZGTTCG (SEQ ID NO: 92), ZGAAZGUTCG (SEQ ID NO: 93), TTAAZGUTCG (SEQ ID

NO: 94), TUAAZGUTCG (SEQ ID NO: 95) and TTAAZGTTCG (SEQ ID NO: 96), wherein Z is 5-bromocytosine.

**Claim 7 (Original):** An immunomodulatory polynucleotide according to claim 6, wherein the ISS is selected from the group consisting of ZGAAZGUTCG (SEQ ID NO: 93) and GAAAZGUTCG (SEQ ID NO: 89), wherein Z is 5-bromocytosine.

**Claim 8 (Original):** An immunomodulatory polynucleotide according to claim 7 comprising a sequence selected from the group consisting of SEQ ID NO: 35 and SEQ ID NO: 36.

**Claim 9 (Original)** An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide further comprises at least one TCG sequence.

**Claim 10 (Original):** An immunomodulatory polynucleotide according to claim 9, wherein the TCG sequence is adjacent to the 5' end of the ISS.

**Claim 11 (Original):** An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide further comprises a TCGA sequence.

**Claim 12 (Original):** An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide further comprises at least one T, 5-bromocytosine, G sequence.

**Claim 13 (Original):** An immunomodulatory polynucleotide according to claim 12, wherein the T, 5-bromocytosine, G sequence is adjacent to the 5' end of the ISS.

**Claim 14 (Original):** An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide further comprises a T, 5-bromocytosine, G, A sequence.

Claim 15 (Original): An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide is less than about 150 bases or base pairs in length.

Claim 16 (Original): An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide is less than about 100 bases or base pairs in length.

Claim 17 (Original): An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide is less than about 50 bases or base pairs in length.

Claim 18 (Original): An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide is single-stranded.

Claim 19 (Original): An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide is double-stranded.

Claim 20 (Original): An immunomodulatory polynucleotide according to claim 1 or claim 5, wherein the immunomodulatory polynucleotide is stabilized.

Claim 21 (Original): An immunomodulatory polynucleotide according to claim 20, wherein the polynucleotide comprises a phosphorothioate bond.

Claim 22 (Original): An immunomodulatory composition comprising an immunomodulatory polynucleotide according to claim 1 or claim 5.

Claim 23 (Original): An immunomodulatory composition according to claim 22 further comprising a pharmaceutically acceptable excipient.

Claim 24 (Original): An immunomodulatory composition according to claim 22 further comprising an antigen.

Claim 25 (Original): An immunomodulatory composition according to claim 24 further comprising a pharmaceutically acceptable excipient.

Claim 26 (Original): An immunomodulatory polynucleotide/microcarrier (IMP/MC) complex, comprising:

a polynucleotide according to claim 1 linked to a biodegradable microcarrier (MC), wherein said MC is less than 10 µm in size.

Claim 27 (Original): An immunomodulatory polynucleotide/microcarrier (IMP/MC) complex, comprising:

a polynucleotide according to claim 5 linked to a biodegradable microcarrier (MC), wherein said MC is less than 10 µm in size.

Claim 28 (Withdrawn): A method of modulating an immune response in an individual comprising administering to an individual an immunomodulatory polynucleotide according to claim 1 or claim 5 in an amount sufficient to modulate an immune response in said individual.

Claim 29 (Withdrawn): The method of claim 28, wherein said individual suffers from a disorder associated with a Th2-type immune response.

Claim 30 (Withdrawn): The method of claim 29, wherein said disorder associated with a Th2-type immune response is an allergy or asthma.

Claim 31 (Withdrawn): The method of claim 28, wherein said individual has an infectious disease.

Claim 32 (Withdrawn): A method of increasing interferon-gamma (IFN- $\gamma$ ) in an individual, comprising:

administering an immunomodulatory polynucleotide according to claim 1 or claim 5 to said individual in an amount sufficient to increase IFN- $\gamma$  in said individual.

**Claim 33 (Withdrawn):** The method of claim 32, wherein said individual has idiopathic pulmonary fibrosis.

**Claim 34 (Withdrawn):** A method of increasing interferon-alpha (IFN- $\alpha$ ) in an individual, comprising:

administering an immunomodulatory polynucleotide according to claim 1 or claim 5 to said individual in an amount sufficient to increase IFN- $\alpha$  in said individual.

**Claim 35 (Withdrawn):** The method of claim 34, wherein said individual has a viral infection.

**Claim 36 (Withdrawn):** A method of increasing interferon-alpha (IFN- $\alpha$ ) in an individual, comprising:

administering an immunomodulatory polynucleotide according to claim 9 to said individual in an amount sufficient to increase IFN- $\alpha$  in said individual.

**Claim 37 (Withdrawn):** The method of claim 35, wherein said individual has a viral infection.

**Claim 38 (Withdrawn):** A method of increasing interferon-alpha (IFN- $\alpha$ ) in an individual, comprising:

administering an immunomodulatory polynucleotide according to claim 11 to said individual in an amount sufficient to increase IFN- $\alpha$  in said individual.

Claim 39 (Withdrawn): The method of claim 38, wherein said individual has a viral infection.

Claim 40 (Withdrawn): A method of ameliorating a symptom of an infectious disease in an individual, comprising:

administering an effective amount of an immunomodulatory polynucleotide according to claim 1 or claim 5 to the individual, wherein an effective amount is an amount sufficient to ameliorate a symptom of said infectious disease.

Claim 41 (Withdrawn): The method of claim 40, wherein said infectious disease is an infectious disease caused by a cellular pathogen.

Claim 42 (Withdrawn): The method of claim 41, wherein said infectious disease caused by a cellular pathogen is selected from the group consisting of mycobacterial disease, malaria , leishmaniasis, toxoplasmosis, schistosomiasis and clonorchiasis.

Claim 43 (Withdrawn): A method of ameliorating a symptom of an IgE-related disorder in an individual, comprising:

administering an effective amount of an immunomodulatory polynucleotide according to claim 1 or claim 5 to an individual having an IgE-related disorder, wherein an effective amount is an amount sufficient to ameliorate a symptom of said IgE-related disorder.

Claim 44 (Withdrawn): The method of claim 43, wherein said IgE-related disorder is allergy.

Claim 45 (Withdrawn): The method of claim 43, wherein said IgE-related disorder is an allergy-related disorder.

Claim 46 (Withdrawn): The method of claim 43, wherein said IgE-related disorder is asthma.

**Claim 47 (Original):** A kit comprising an immunomodulatory polynucleotide according to claim 1 or claim 5.

**Claim 48 (Original):** The kit of claim 47, further comprising instructions for use of the immunomodulatory polynucleotide for immunodulation of an individual.